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TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING

Docket Number (Optional)

REJECTION OVER A "PRIOR" PATENT	20269/1201776-US2
In re Application of: Jay D. Kranzler et al.	•
Application No.: 10/623,431	
Filed: July 18, 2003	
For: METHODS OF TREATING FIBROMYALGIA SYNDROME, CHRONIC AND PAIN	FATIGUE SYNDROME
The owner*, Cypress Bioscience, Inc. , of instant application hereby disclaims, except as provided below, the terminal part of the statutory	percent interest in the term of any patent granted on the 6,602,911/
instant application which would extend beyond the expiration date of the full statutory term of prior as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant only for and during such period that it and the prior patent are commonly owned. This agreed on the instant application and is binding upon the grantee, its successors or assigns.	rior patent is presently shortened at application shall be enforceable
In making the above disclaimer, the owner does not disclaim the terminal part of the term of application that would extend to the expiration date of the full statutory term as defined in 35 patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in later: expires for failure to pay a maintenance fee; is held unenforceable; is found invalid by a court of competent jurisdiction;	U.S.C. 154 and 173 of the prior
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.	
2. X The undersigned is an attorney or agent of record, Reg. No. 52,392	
J'al Myac	June 10, 2005
Signature	Date
Paul M. Zagar	
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